



Practitioner's Docket No. 019502.0007US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Earl Votolato

Application No.: 10/010,158
 Filed: 11/13/2001
 For: Bag Shifting Apparatus

Group No.: 3724
 Examiner: T. Druan

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NOV 15 2002

TECHNOLOGY CENTER R3700

**RESPONSE UNDER
 37 C.F.R. § 1.116
 EXPEDITED PROCEDURE
 EXAMINING GROUP**

Box AF
 Commissioner for Patents
 Washington, D.C. 20231

AMENDMENT OR RESPONSE AFTER FINAL REJECTION-TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
*(When using Express Mail, the Express Mail label number is mandatory;
 Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231
 37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*
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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office. (703) _____

Erika Simpson

Date: 11/12/02



STATUS

2. Applicant is a small entity. A statement was already claimed.

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EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col 2)	(Col 3)	SMALL ENTITY	
Claims Remaining After Amendment	Highest No Previously Paid For	Present Extra	Rate	Addit Fee
Total 6	Minus 20	= 0	x \$9 =	\$0
Indep 1	Minus 3	= 0	x \$42 =	\$0
First Presentation of Multiple Dependent Claims			+ \$140 =	\$0
		Total Addit Fee		\$0

- * If the entry in Col 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20"
- *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

FEE DEFICIENCY

5.

If any additional extension and/or fee is required, charge Account No. 502191.

If any additional fee for claims is required, charge Account No. 502191.

Date: 11/12/2002

Sandra Thompson

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FACSIMILE TRANSMISSION

DATE: NOVEMBER 12, 2002

TO:

Hard Copy to Follow via Mail: NO

NAME	FAX NO.	PHONE NO.
Thomas Druan	Fax - 703-308-7048	703-308-4200

FROM: Erika E Simpson

RE:

OUR REF: 019502.0007US1	NUMBER OF PAGES, INCLUDING COVER: 16
10/010158	
BAG SLITTING APPARATUS	
SPELLBOUND DEVELOPMENT GROUP - EARL VOTOLATO	

MESSAGE:

Mr. Druan,
Attached for your review is a courtesy copy of the response to the Final Office Action.
Please let me know if you need anything further.
Thank you, Erika.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AGENT RESPONSIBLE TO DELIVER THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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Serial No.: 10/010,158
 Practitioner Docket No. 019502.0007US1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231

Earl J. Votolato

Serial No: 10/010,158

Filed: November 13, 2001

For: Bag Slitting Apparatus

Examiner: Thomas J. Druan

Art Unit: 3724

**RESPONSE UNDER
 37 C.F.R. section 1.116
 EXPEDITED PROCEDURE
 EXAMINING GROUP
 3724**

11/18/02
 J. Hart
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Box AF
 Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

This paper responds to the Final Office Action dated September 11, 2002. Since the Response After Final was due on November 11, 2002 (Veteran's Day), this Response After Final is timely filed on the next business day – November 12, 2002. (MPEP §710.05) Please enter the following (A Clean Copy of the claims is provided below with the non-amended claims in italics for your reference; a Marked-Up Copy of the claims is hereto attached):

1. (Twice Amended) A bag slitting apparatus for opening a sealed bag along an edge of said bag, the apparatus comprising a first arm having a first outer surface and a first inner surface, a second arm having a second outer surface and a second inner surface, wherein said first and